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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,011	03/06/2001	Christopher Clemmett Macleod Beck	P3318D1	9889

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CENTRAL COAST PATENT AGENCY  
PO BOX 187  
AROMAS, CA 95004

EXAMINER

VIG, NARESH

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/801,011

Applicant(s)

BECK ET AL.

Examiner

Naresh Vig

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

This is in reference to the response received by the office on 06 February 2003 to the office action mailed on 07 November 2002. Amendment to claim 19 is acknowledged and considered. There are 2 claims 19 – 20 pending for examination.

### ***Response to Arguments***

Applicant's arguments with respect to claims 19 - 20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry et al. US patent 5,537,630 hereinafter known as Berry in view of "The C++ Programming Language" by Bjarne Stroustrup hereinafter known as Stroustrup.

Regarding claim 19, Berry discloses a method and data processing system for efficiently creating a program in an object oriented environment using a graphic user interface. An object is graphically displayed within the graphic user interface, wherein the object includes a method written in an object-oriented language. The method has a number of parameters. Each parameter is graphically displayed in the graphic user interface. Such display may be in response to a selection of the graphically displayed object. Each parameter is visually associated with the graphically displayed object. A list of selections is displayed for a parameter in the plurality of parameters in response to a selection of the parameter. Specification of the parameter using the list of selections by the user is permitted, wherein the parameter is specified using the list of selections is propagated to the method in the object oriented language used to create the object. A tree structure may be used to display associations between the parameters and displayed objects [abstract].

Berry discloses a graphical interface comprising an input facility adapted for defining a task, definition including a task identifier, a task description comprising activities performable automatically by the operating system, and prerequisite relationship to any other tasks;

Visual programming techniques allow users and programmers to create programming solutions to problems more quickly than programming in traditional languages such as FORTRAN, C, PASCAL, COBOL or BASIC. Visual programming

environments provide a Graphic User Interface ("GUI") as an interface between the user and the data processing system. Within the GUI, visual programming may be accomplished by, for example, dragging and dropping user interface components from a pallet of components displayed to a user. The program logic is typically specified in one of three ways, by writing in a traditional programming language, by writing in a more user-friendly scripting language, such as REXX or by visually connecting components together within a visual programming environment [col. 1, line 65 – col. 2, line 11].

The object and the parameters may be graphically displayed in the graphic user interface using icons to represent the object and the parameters. The display of these icons may be in a tree structure that can be expanded or collapsed. Parameters for a method may be specified in a number of ways. For example, a parameter may be specified as a constant or some variable. A parameter may be specified using another object having a method with additional parameters. In such a situation, the second object and its parameters are displayed as a "subtree" within the tree structure. These selections or sources used to specify parameters may be displayed to a user in a pop-up menu that is displayed in the graphic user interface that contains selections allowing a user to specify the source or selection for a parameter [col. 3, lines 3 – 19].

Berry discloses creating a program in an object oriented environment using a graphic user interface [abstract].

Berry discloses to sequentially build process comprising multiple tasks performed in a requisite order dictated by the prerequisite relationship and when complete [FIG. 6A – 6B].

Alternatively, Stroustrup discloses that using C++ programming language a user can create objects which can be reused to create new programs. An object created can reference other objects (creates dependencies), the result of a called object can be used as an input when calling the next object. It is known at the time of invention to a person with ordinary skill in the art the programmers can create programs using a GUI editor. The programmer creates output results from the program to meet business requirements.

Berry does not disclose the output result of the program. Stroustrup discloses output results [page 221], Also, it is a business choice to select what the output results are required from a program. Therefore, it would be obvious to a person with ordinary skill in the art that output results of a program should be what the business elects to meet its business objectives.

Regarding claim 20, Berry does not disclose the results of the program to be Gant chart. However, it is a business choice to select what the output results are required from a program. Therefore, it would be obvious to a person with ordinary skill in the art that output results of a program should be what the business elects to meet its business objectives. For example, a programmer can create a program like Microsoft Project which produces Gant Chart as output result.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Marlin et al. US Patent 5,778,377
2. Chow et al. US Patent 5,642,511
3. Kojima et al. US Patent 5,566,294

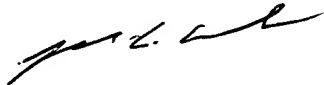
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone numbers for the organization where this application or proceeding is assigned are 703.305.7687 for regular communications and 703.305.7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

Naresh Vig  
May 4, 2003



**JOHN G. WEISS**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600